

**IN THE SPECIFICATION:**

Kindly delete the specification and replace it with the attached substitute specification.

A marked up copy is attached hereto as exhibit A, and a clean copy is attached hereto as exhibit B.

**REMARKS**

5                   The claim was rejected under 35 U.S.C. 112, first and second paragraphs as not being supported by a clear and complete botanical description of the plant as set forth in items A-AY in the office action. Each of these items has been addressed below.

In a telephone conversation with the examiner on February 22, 2001, it was confirmed that there were no objections to the oath/disclosure or to the drawing.

10                   In response to the suggestion by the examiner, a first substitute specification showing corrections, together with a second "clean" substitute specification is submitted herewith. The abstract has been moved so that it begins on a separate sheet. Similarly, the claim has been moved so that it begins on a separate sheet. The following addresses each of the issues raised by the examiner:

- 15                   A.     The substitute specification and claim have been double-spaced.
- B.     The cultivar names are referred to using single quotes.
- C.     The examiner is advised that the 1950 edition of the color reference is identical to the 1930 edition.
- D.     The grafting of the scion wood of the new invention took place during the
- 20                   dormant season (January 1997). The tree grew during each of the years 1997, 1998, 1999 and 2000, so that as of the filing date of the application (May 26, 2000) the tree was in its fourth year of growth.